

JUN 14 2005

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FROM: James J. Mullen III, Ph.D. - Reg. No. 44,957 **DATE:** June 14, 2005

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| Comments: | | RECEIVED OICE/IAP |
| ATTORNEY DOCKET: | 278012001420 | JUN 16 2005 |
| GROUP ART UNIT: | 1638 | |
| EXAMINER: | M. Ibrahim | |
| SERIAL NO.: | 09/765,555 | |
| FILING DATE: | January 19, 2001 | |
| INVENTOR(S): | Carlos F. BARBAS, III et al. | |
| TITLE: | METHODS AND COMPOSITIONS TO MODULATE EXPRESSION IN PLANTS | |
| Papers attached: | | |
| 1. Transmittal (1 page) | | |
| 2. Fee Transmittal (1 page + duplicate for fee processing) | | |
| 3. Amendment in Response to Advisory Action (11 pages) | | |
| 4. Petition for Extension of Time (1 page) | | |

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PTO/SB/21 (09-04)

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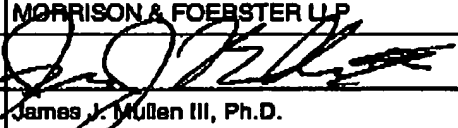
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|---|----|------------------------|-----------------------|
| <h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p> | | Application Number | 09/765,555 |
| | | Filing Date | January 19, 2001 |
| | | First Named Inventor | Carlos F. BARBAS, III |
| | | Art Unit | 1638 |
| | | Examiner Name | M. Ibrahim |
| Total Number of Pages in This Submission | 16 | Attorney Docket Number | 278012001420 |

ENCLOSURES (Check all that apply)

| | | |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form (1 page + duplicate for fee processing) <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (11 pages) <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request (1 page) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TO <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile coversheet (1 page) |
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| Firm Name | MORRISON & FOEBSTER LLP | | |
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| Printed name | James J. Mullen III, Ph.D. | | |
| Date | June 14, 2005 | Reg. No. | 44,957 |

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Dated: June 14, 2005

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PAGE 3/16 * RCVD AT 6/14/2005 8:56:20 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/2 * DNIS:8729306 * CSID:858 720 5125 * DURATION (mm-ss):04-28

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Dated: June 14, 2005

Signature: 
(Grace Va.)Docket No.: 278012001420
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Carlos F. BARBAS, III et al.

Application No.: 09/765,555

Filed: January 19, 2001

Art Unit: 1638

For: **METHODS AND COMPOSITIONS TO
MODULATE EXPRESSION IN PLANTS**

Examiner: M. Ibrahim

AMENDMENT IN RESPONSE TO ADVISORY ACTION

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This is a response to the Advisory Action dated April 13, 2005. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 11 of this paper.

sd-257848